

10/519113

DT01 Rec'd PCT/PTT 23 DEC 2004

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85522

Shinij NAKADE, et al.

Appln. No.: not yet assigned
National Stage Entry of PCT/JP03/08039

Confirmation No.: not yet assigned

Group Art Unit: not yet assigned

Filed: December 23, 2004

Examiner: not yet assigned

For: PHARMACEUTICAL COMPOSITION FOR TREATMENT OF DISEASE DUE TO
VASCULAR CONSTRICTION OR VASODILATION

INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

A copy of each of the listed documents, in the ISR should accompany the papers received from the International Bureau. However, applicant will be glad to furnish copies upon request.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

10/519113

DT01 Rec'd PCT/PT 23 DEC 2004

INFORMATION DISCLOSURE STATEMENT
National Stage Entry of PCT/JP03/08039

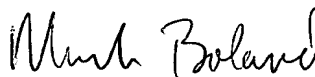
filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents (International Search Report for PCT/JP03/08039 dated October 14, 2002), together with an English-language version (if not already included) of that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,



Mark Boland
Registration No. 32,197

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: December 23, 2004

Complete if Known

Substitute for Form 1449 A & B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

1

Application Number

National Stage Entry of
PCT/JP03/08039

Confirmation Number

Not yet assigned

Filing Date

December 23, 2004

First Named Inventor

Shinij NAKADE

Art Unit

Not yet assigned

Examiner Name

Not yet assigned

Attorney Docket Number

Q85522

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code ² (if known)		
		US 3,542,793	A	11/24/1970	Ciba Corp.
		US 4,612,318	A	9/16/1986	LEPETIT SPA
		US			
		US			
		US			
		US			
		US			
		US			
		US			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)			
		WO	01/69252	A1	9/20/2001	THE GENERAL HOSPITAL CORP	
		WO	01/98301	A1	12/27/2001	Japan Tobacco Inc.	
		WO	03/051876	A1	6/26/2003	Japan Tobacco Inc.	
		WO	01/03739	A1	1/18/2001	Ono Pharmaceutical Co., Ltd.	

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
		OKAZAKI, H., 'Molecular cloning of a novel putative G protein-coupled receptor expressed in the cardiovascular system. ', Biochem. Biophys. Res. Commun., 15 February, 1993 (15.02.93), vol. 190, No. 3, p. 1104-9	
		OHMORI, T., 'Sphingosin 1-phosphate induces contraction of coronary artery smooth muscle cells via S1P ₂ ', Cardiovasc. Res., 01 April, 2003 (01.04.03), Vol. 58, No. 1, p. 170-7	

Examiner Signature

Date Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to indicate here if English language Translation is attached.